

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KENNETH OWENS,

Plaintiff,

v.

U.S. BANK TRUST NATIONAL
ASSOCIATION, as Owner and Trustee
For RCF 2 Acquisition Trust C/O U.S.
Bank Trust National Association, et. al.,

Defendant.

CIVIL ACTION
NO. 24-6372

ORDER

AND NOW, this 31st day of March 2025, upon consideration of the Defendants' Motion to Dismiss, (ECF No. 12), Owens's Response, (ECF No. 13), and the Defendants' Reply, (ECF No. 14), it is hereby **ORDERED** that:

1. Defendants' Motion is **GRANTED**.
2. Owens's invalid assignment, fraud-on-the-court and TILA claims are **DISMISSED** without prejudice for lack of subject matter jurisdiction.
3. Owens's Fourteenth Amendment claim is **DISMISSED** with prejudice for failure to state a claim upon which relief can be granted.
4. Owens may file an amended complaint, asserting the TILA claim only, by **Wednesday, April 30, 2025** if he can allege standing, detrimental reliance and grounds for equitable tolling with respect to that claim.

BY THE COURT:

/s/ Gerald J. Pappert
Gerald J. Pappert, J.